	NUMBER:		SWG-PE-RB		
St Co Ce Ap Na	ate: ounty: enter coordi oproximate	Texas San Pati inates of s size of ar rest water	ite (latitude/longitu	d, including	27-52-58 Lat 97-15-12 Long g uplands: 200+ acres.
			ERMINATION determination t(s)	\boxtimes	Date: 29 November 04 Date(s): 4 October 04
Ju	risdictiona	ıl Determ	ination (JD):		
	_				
\boxtimes	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:				
	☑ There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 16.68.				
	☐ There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 7.81.				
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of N Jurisdiction.				
A.	ASIS OF JURISDICTIONAL DETERMINATION: A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.				
B. ⊠	Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are cubicated to the order of the commerce including all waters which are cubicated to the order of the commerce including all waters which are cubicated to the order of the commerce including all waters which are cubicated to the order of the commerce including all waters which are cubicated to the cubicated to the commerce including all waters which are cubicated to the cubicated to the cubicated to the cubicated to the cubi				

- interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands¹. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US.
- (5) The presence of a tributary to a water identified in (1) (4) above.
- (6) The presence of territorial seas.
- (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

FILE NUMBER: 23611

	ral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
	For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
DATA RE	Other (explain): CVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: J.S. Geological Survey Hydrologic Atlas: J.S. Geological Survey 7.5 Minute Topographic maps: J.S. Geological Survey 7.5 Minute Historic quadrangles: J.S. Geological Survey 15 Minute Historic quadrangles: JSDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: EEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): 4 October 04 Advanced Identification Wetland maps: Site visit/determination conducted on: 4 October 04 Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG **FILE NUMBER:** 14392(05)/1925

PROJE Sta	CT LOCATION IN te: Texas	NFORMATION:					
Cer Ap _l Nai	proximate size of are	ite (latitude/longitude ea (parcel) reviewed, vay: Carancahua Bay Huc Code: 121004	including	28° 43' 12" N, 96° 25' 23" W suplands: 0.413 acres.			
	DICTIONAL DETE mpleted: Desktop Site visit	determination		Date: 22 November 2004 Date(s):			
Jur	isdictional Determi	ination (JD):					
	Preliminary JD - B United States" and (Reference 33 CFF	or "navigable water	formation, s of the U	☐ there appear to be (or) ☐ there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable			
Ø	Approved JD – An Check all that appl		ppealable	action (Reference 33 CFR part 331).			
				ites" (as defined by 33 CFR part 329 and associated guidance) within onal area: 0.021 acres.			
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:						
	There are "isol			e waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No			
BASIS (A.	Waters defined up. The presence of wa	iters that are subject	29 as "na to the ebb	vigable waters of the United States": and flow of the tide and/or are presently used, or have been used in tinterstate or foreign commerce.			
B.	(1) The presence of interstate or foreign (2) The presence of (3) The presence of sandflats, wetlands destruction of which (i) which are (iii) from which (iii) which are (4) Impoundments (5) The presence of	f waters, which are concommerce, including interstate waters incommerce for the waters such a solughs, prairie potential affect intersor could be used by incommerce or could be used for could be used for of waters otherwise of a tributary to a water	urrently using all water cluding into a line into sintrastate, wet tate commenterstate or could industrial defined as	e lakes, rivers, streams (including intermittent streams), mudflats, a meadows, playa lakes, or natural ponds, the use, degradation or erce including any such waters (check all that apply): r foreign travelers for recreational or other purposes. be taken and sold in interstate or foreign commerce. purposes by industries in interstate commerce. waters of the US.			
Bot	 (5) The presence of a tributary to a water identified in (1) – (4) above. (6) The presence of territorial seas. (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands. Rationals for the Basis of Jurisdictional Determination (applies to any boyes shocked above). If the jurisdictional presence of the Internal Presence of the In						

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: Carancahua Bay is subject to the ebb and flow of the tide and contiguous with Matatgorda Bay an water of the United States.

FILE NUMBER: 14392(05)/1925 Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) High Tide Line indicated by: Ordinary High Water Mark indicated by: oil or scum line along shore objects clear, natural line impressed on the bank the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics tidal gages destruction of terrestrial vegetation other: shelving other: Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: **Basis For Not Asserting Jurisdiction:** The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. ☐ This office concurs with the delineation report, dated , prepared by (company): , prepared by (company): This office does not concur with the delineation report, dated Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Olivia Quadrangle U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: Olivia Quadrangle State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): (NGVD) 100-year Floodplain Elevation is: Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.



Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

DISTRICT OFFICE: CESWG FILE NUMBER: D-16755

PROJECT LOCATION INFORMATION: State: Texas County: Galveston Center coordinates of site (latitude/longitude): 29° 22' 40"N, 94° 53' 34"W (NAD27) Approximate size of area (parcel) reviewed, including uplands:						
Name of watershed: West Galveston Bay JURISDICTIONAL DETERMINATION Completed: Desktop determination Date: 22 November 2004 Site visit(s) Date(s):						
Jui	risdictional Determination (JD):					
蟵	Preliminary JD - Based on available information, \square there appear to be (or) \square there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).					
\boxtimes	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:					
	☐ There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:					
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:					
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.					
A.	OF JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.					
	Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) – (4) above. (6) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.					
Rati the T	Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). The project is located in he Texas City Turning Basin, a Federally maintained Navigation channel.					

La	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank
\boxtimes	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
\boxtimes	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG **FILE NUMBER:** 23606

PROJE	ECT LOCATION INF	ORMATION:				
	ate: Texas					
	ounty: Chambers					
Ce	nter coordinates of site	(latitude/longitude	e):	Lat: 29.30.23 Long: 94.53.47		
Ap	proximate size of area ((parcel) reviewed,	including	uplands: 1.03 acres.		
	me of nearest waterway	y: Galveston Bay				
Na	me of watershed: G	Galveston Bay				

	DICTIONAL DETER		2			
Co	mpleted: Desktop de		⊠ □	Date: 22 November 2004		
	Site visit(s)	•		Date(s):		
Jui	risdictional Determina	ition (JD):				
	Preliminary JD - Base United States" and/or (Reference 33 CFR pa	"navigable waters	ormation, s of the Ur	there appear to be (or) there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable		
\boxtimes	Approved JD – An ap Check all that apply:	pproved JD is an ap	opealable	action (Reference 33 CFR part 331).		
	There are "navigal the reviewed area. Ap	ble waters of the Upproximate size of	Jnited Sta	tes" (as defined by 33 CFR part 329 and associated guidance) within onal area: 1.03 acres.		
	There are "waters reviewed area. Appro	of the United Stat eximate size of juri	es" (as de isdictional	efined by 33 CFR part 328 and associated guidance) within the larea:		
	□ De	d, non-navigable, ecision supported irisdiction.	<i>intra-state</i> by SWAN	e waters or wetlands" within the reviewed area. ICC/Migratory Bird Rule Information Sheet for Determination of No		
RASIS (OF JURISDICTIONAL	I DETERMINA	TION.			
A A	Waters defined under	L DETERMINA r 33 CFD part 32	HON: O oo "nou	rigable waters of the United States":		
™	The presence of waters	s that are subject to	the abb	and flow of the tide and/or are presently used, or have been used in		
	the past, or may be sus	sceptible for use to	transport	interstate or foreign commerce.		
В.	Waters defined under	r 33 CFR part 32	8.3(a) as	"waters of the United States":		
	(1) The presence of wa	aters, which are cu	rrently us	ed, or were used in the past, or may be susceptible to use in		
********	interstate or foreign co	mmerce, including	g all water	rs which are subject to the ebb and flow of the tide.		
	(2) The presence of int	terstate waters incl	uding inte	erstate wetlands ¹		
	(3) The presence of oth	her waters such as	intrastate	lakes, rivers, streams (including intermittent streams), mudflats,		
	sandflats, wetlands, slo	oughs, prairie poth	oles, wet	meadows, playa lakes, or natural ponds, the use, degradation or		
	destruction of which co	ould affect intersta	ite comme	erce including any such waters (check all that apply):		
	(i) which are or co	ould be used by int	erstate or	foreign travelers for recreational or other purposes.		
	(ii) from which fis	sh or shellfish are	or could b	e taken and sold in interstate or foreign commerce		
	(iii) which are or o	could be used for i	ndustrial	purposes by industries in interstate commerce.		
	(4) Impoundments of v	waters otherwise d	efined as	waters of the US.		
	(5) The presence of a tr	ributary to a water	identified	1 in (1) - (4) above.		
(6) The presence of territorial seas.						
	(/) The presence of we	etlands adjacent ² to	other wa	ters of the US, except for those wetlands adjacent to other wetlands.		
Rati	anale for the Rasis of					

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

FILE NUMBER: 23606

d by:
of the sins, or y land for s 33 CFR
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¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG-PE-RC

FILE NUMBER: D-16587

Sta					
Cer Ap _l Nai	unty: Harris nter coordinates of site (latitude/longitude): proximate size of area (parcel) reviewed, includ me of nearest waterway: Taylor Lake me of watershed: Galveston Bay	UTM 15 302452E 3274394 ng uplands: acres.			
	DICTIONAL DETERMINATION mpleted: Desktop determination Site visit(s) □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □	Date: 22 November 2004 Date(s): 28 October 2004			
Jur	risdictional Determination (JD):				
		on, \square there appear to be (or) \square there appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable			
\boxtimes	Approved JD – An approved JD is an appealal Check all that apply:	ole action (Reference 33 CFR part 331).			
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:				
	☐ There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:				
		etate waters or wetlands" within the reviewed area. ANCC/Migratory Bird Rule Information Sheet for Determination of No.			
BASIS (OF JURISDICTIONAL DETERMINATION				
A .		bb and flow of the tide and/or are presently used, or have been used in			
B.	 (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands¹. 				

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

FILE NUMBER: D-/6587

La □	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: in scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	□ Other (explain): EVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. □ This office concurs with the delineation report, dated , prepared by (company): □ This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: 1995 League City U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Astural Resources Conservation Service Soil Survey: Augus 1976 Harris County National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): 1995 League City DOQQ Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: 28 October 2004 Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

		CT OFFICE: UMBER:	Galveston D-15997						
•	Stat Cou Cen App Nan	e: Texas inty: Harris iter coordinates of sit proximate size of are ne of nearest waterw ne of watershed:	te (latitude/longitude a (parcel) reviewed,	includin		54"N, 95° _. N/A	04' 29"W		
		npleted: Desktop of Site visit(determination	\boxtimes	Date: Date(s):	10/05/04 11/27/04			
	Juri	isdictional Determi	nation (JD):						
[]	Preliminary JD - Ba United States" and/ (Reference 33 CFR	or "navigable water	formations of the U	n, 🗌 <i>there ap</i> United States	opear to be (or) on the project	there appearsite. A prelimin	ar to be no "waters of the nary JD is not appealable	;
(Ø	Approved JD – An Check all that apply		ppealabl	e action (Ref	erence 33 CFR	part 331).		
			gable waters of the V Approximate size of					ssociated guidance) withi	n
		➤ There are "watereviewed area. App	ers of the United Star proximate size of jur	tes" (as distinction	defined by 33 al area:3.	CFR part 328 44-ac	and associated g	guidance) within the	
		There are "isolo	nted, non-navigable, Decision supported Jurisdiction.	intra-sta by SWA	ate waters or ANCC/Migrat	wetlands" with ory Bird Rule I	in the reviewed information She	area. et for Determination of N	lc
A	١.	OF JURISDICTION Waters defined un The presence of wat the past, or may be	der 33 CFR part 32 ers that are subject t	29 as "n ato the ebl	b and flow of	the tide and/or	are presently us	sed, or have been used in	
]]]]	sandflats, wetlands, destruction of which are of (ii) which are of (iii) which are of (4) Impoundments of (5) The presence of (6) The presence of	waters, which are commerce, includir interstate waters incother waters such as sloughs, prairie potin could affect interstricture of the waters are could be used by in fish or shellfish are or could be used for of waters otherwise of a tributary to a wate territorial seas.	urrently of all ware luding in sintrasta holes, we tate commeterstate or could industriate industriate indentifications are identifications.	used, or were ters which are nterstate wetl te lakes, river et meadows, p merce includi or foreign tra I be taken and al purposes by as waters of the ied in (1) – (4)	used in the pase subject to the ands ¹ . Its, streams (including lakes, or ing any such wavelers for recrest sold in interstation in the US. a) above.	et, or may be sustebb and flow of luding intermitte natural ponds, thaters (check all tational or other ate or foreign conterstate comme	f the tide. ent streams), mudflats, ne use, degradation or hat apply): purposes. ommerce. erce.	
	3	(7) The presence of	wetlands adjacent ² t	o other v	waters of the	US, except for	those wetlands a	adjacent to other wetland	ŝ.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: Wetland is adjacent based on proximity and location in the 100-yr. Floodplain of the San Jacinto River, a navigable water of the United States.

FILE N	UMBER:	D-15997		
Lat	Ordinary High Wa clear, natural the presence changes in the	sdiction: (Reference: 33 CFR ter Mark indicated by: line impressed on the bank of litter and debris e character of soil f terrestrial vegetation		gh Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water ☐ survey to availa		ngs; vegetatio	on lines/changes in vegetation types.
×	Wetland boundarie Michael Baker Jr.,		etland delineation	n map and/or in a delineation report prepared by:
Bas	Unable to confirm Headquarters declir The Corps has mad United States: Waste treat Artificially Artificial la retain water rice growin Artificial re by excavati Water-filled the purpose abandoned 328.3(a). Isolated, in Prior conve	consists entirely of uplands, the presence of waters in 33 Cl ned to approve jurisdiction on de a case-specific determination ment systems, including treatmirrigated areas, which would rakes and ponds created by excar and which are used exclusive ag. effecting or swimming pools or ing and/or diking dry land to red depressions created in dry lare of obtaining fill, sand, or gravand the resulting body of wate trastate wetland with no nexus erted cropland, as determined by larinage or irrigation ditches ex	the basis of 33 Cin that the following that the following that the following that the following and/or dikely for such purpose other small ornation water for principle incidental to civel unless and until meets the definition interstate comy the Natural Research	FR part 328.3(a)(3). ng waters present on the site are not Waters of the oons, pursuant to 33 CFR part 328.3. The irrigation ceased. ting dry land to collect and oses as stock watering, irrigation, settling basins, or amental bodies of water created finarily aesthetic reasons. onstruction activity and pits excavated in dry land for til the construction or excavation operation is ition of waters of the United States found at 33 CFR merce. sources Conservation Service. Explain rationale:
X X	Maps, plans, plots Data sheets prepare This office corey): Michael Baker Jaris office doe Data sheets prepare Corps' navigable words. Geological Surus. Geol	Jr., Inc. es not concur with the delineatied by the Corps. vaters' studies: arvey Hydrologic Atlas: arvey 7.5 Minute Topographic arvey 15 Minute Historic quadrources Conservation Service Sinventory maps: d inventory maps: d inventory maps: s (Map Name & Date): an Elevation is: s (Name & Date): (Date): Site photos taken by a cation Wetland maps: ation conducted on: ting case law:	alf of the applicant fithe applicant. rt, dated _March on report, dated _ maps: rangles: rangles: Soil Survey:	

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

JURISDICTIONAL DETERMINATION

U.S. Army Corps of Engineers

DISTRIC FILE NU	CT OFFICE: MBER:	CESWG I-4948	·		
State Cour Cent Appr Nam	nty: Harris er coordinates of sit	te (latitude/longitude): a (parcel) reviewed, includi ay: Taylor Lake	29° 34' 00"N, 95° 03' 14"W ing uplands:N/A acres.		
	CTIONAL DETE pleted: Desktop of Site visito	determination 🔲	Date: 11/22/04 Date(s): 11/10/04		
Juri	sdictional Determi	nation (JD):			
	Preliminary JD - Ba United States" and/ (Reference 33 CFR	or "navigable waters of the	on, \square there appear to be (or) \square there appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable		
Ø	Approved JD – An Check all that apply		ble action (Reference 33 CFR part 331).		
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: _Structure on Taylor Lake				
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:				
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.				
Α.	Waters defined un The presence of wa	aters that are subject to the	f: 'navigable waters of the United States'': ebb and flow of the tide and/or are presently used, or have been used in sport interstate or foreign commerce.		
	(1) The presence of interstate or foreign (2) The presence of	f waters, which are currently n commerce, including all value interstate waters including	as "waters of the United States": ly used, or were used in the past, or may be susceptible to use in waters which are subject to the ebb and flow of the tide. g interstate wetlands ¹ .		
	 (2) The presence of interstate waters including interstate wetlands¹. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) – (4) above. (6) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands. 				
	(1) The presence of	1 chands adjucent to othe	· · · · · · · · · · · · · · · · · ·		

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: Taylor Lake is subject to the ebb and flow of the daily tides and drains in to Clear Creek a navigable water of the United States.

FILE NUMBER: I-4948

La 🔲	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank				
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.				
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: Berg Oliver, Inc.				
Ba					
\boxtimes	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated				

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

DISTRICT OFFICE: CESWG-PE-RC FILE NUMBER: D-16125/(02) PROJECT LOCATION INFORMATION: State: TX County: Orange Center coordinates of site (latitude/longitude): UTM Zone 15 396941 E & 3329691N Approximate size of area (parcel) reviewed, including uplands: Unknown acres. Name of nearest waterway: Bairds Bayou Name of watershed: JURISDICTIONAL DETERMINATION Completed: Desktop determination Date: 11-15-04 ge. Site visit(s) Date(s): **Jurisdictional Determination (JD):** Preliminary JD - Based on available information, there appear to be (or) there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: ☑ There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BASIS OF JURISDICTIONAL DETERMINATION: A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands¹. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

(iii) which are or could be used for industrial purposes by industries in interstate commerce. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) - (4) above.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: Bairds bayou at this location is a navigable water of the US.

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

(6) The presence of territorial seas.

FILE NUMBER: D-16125/(02)

	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
\boxtimes	REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated prepared by (company): This office does not concur with the delineation report, dated prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): 1995 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify): Consultatns field data

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Ceswg-PE-RC

FILE NUMBER: D-16631

PROJE	JECT LOCATION INFORMATION:	
Sta	State: Texas	
Co	County: Harris	
	Center coordinates of site (latitude/longitude): UT	M 15 241464E 3323906N
Ap	Approximate size of area (parcel) reviewed, including upl	ands: acres.
	Name of nearest waterway: Little Cypres Creek	
Na	Name of watershed: Cypress Creek	

	SDICTIONAL DETERMINATION	
Co		te: 19 November 2004
	Site visit(s) \square Date \square	te(s): 17 November 2004
Jur	urisdictional Determination (JD):	
		About amount to be (an) \But d
	United States" and/or "navigable waters of the United (Reference 33 CFR part 331).	there appear to be (or) there appear to be no "waters of the I States" on the project site. A preliminary JD is not appealable
	Approved JD – An approved JD is an appealable action Check all that apply:	on (Reference 33 CFR part 331).
	There are "navigable waters of the United States" the reviewed area. Approximate size of jurisdictional	(as defined by 33 CFR part 329 and associated guidance) within area:
	☐ There are "waters of the United States" (as define reviewed area. Approximate size of jurisdictional are	ed by 33 CFR part 328 and associated guidance) within the a:
	☐ There are "isolated, non-navigable, intra-state was Decision supported by SWANCC Jurisdiction.	tters or wetlands" within the reviewed area. /Migratory Bird Rule Information Sheet for Determination of No
BASIS (OF JURISDICTIONAL DETERMINATION:	
	. Waters defined under 33 CFR part 329 as "naviga	ble weters of the United States".
	The presence of waters that are subject to the ebb and the past, or may be susceptible for use to transport into	flow of the tide and/or are presently used, or have been used in
В.	. Waters defined under 33 CFR part 328.3(a) as "wa	iters of the United States".
	(1) The presence of waters, which are currently used,	or were used in the past, or may be susceptible to use in
	interstate or foreign commerce, including all waters w	hich are subject to the ebb and flow of the tide
	(2) The presence of interstate waters including intersta	ate wetlands ¹ .
	(3) The presence of other waters such as intrastate lak sandflats, wetlands, sloughs, prairie potholes, wet mea destruction of which could affect interstate commerce	es, rivers, streams (including intermittent streams), mudflats, adows, playa lakes, or natural ponds, the use, degradation or including any such waters (check all that apply):
	(i) which are or could be used by interstate or for	eign travelers for recreational or other purposes.
	(ii) from which fish or shellfish are or could be ta	ken and sold in interstate or foreign commerce.
	(iii) which are or could be used for industrial pur	poses by industries in interstate commerce.
님	(4) Impoundments of waters otherwise defined as wat	
	(c) in presence of a modulary to a water racintinea in	(1) – (4) above.
\boxtimes	(6) The presence of territorial seas.	of the US, except for those wetlands adjacent to other wetlands.
KZI	(1) The presence of wettands adjacent to other waters	of the OS, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: Wetlands neighboring and to Little Cypress Creek

2 FILE NUMBER: D-16631 Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by: clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation tidal gages shelving other: other: Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: Crouch Environmental Services, Inc. Basis For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): Crouch Environmental Services, Inc. This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: ☑ U.S. Geological Survey 7.5 Minute Topographic maps: 1980 Rose Hill U.S. Geological Survey 7.5 Minute Historic quadrangles: 1962 & 1920 Rose Hill U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: 1976 Harris County National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): Harris County 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name
Other photographs (Date): Aerial Photographs (Name & Date): 2003, 2002, 2001, 1996, 1990, 1986, 1979, 1969, 1940

Advanced Identification Wetland maps:

Applicable/supporting case law:
Other information (please specify):

Site visit/determination conducted on: 17 November 2004

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG-PE-RC FILE NUMBER: D-15680 PROJECT LOCATION INFORMATION: State: Texas County: Brazoria Center coordinates of site (latitude/longitude): 29° 02' 58"N, 95° 28' 43"W Approximate size of area (parcel) reviewed, including uplands: Unknown acres. Name of nearest waterway: Brazos River Name of watershed: Brazos River JURISDICTIONAL DETERMINATION Completed: Desktop determination Date: 23 November 2004 Site visit(s) Date(s): Jurisdictional Determination (JD): Preliminary JD - Based on available information, \(\subseteq \text{ there appear to be (or) } \subseteq \text{ there appear to be no "waters of the or the content of the content o United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: Unknown. There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BASIS OF JURISDICTIONAL DETERMINATION: A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands¹. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.

(6) The presence of territorial seas. The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands. Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: The project area contains Buffalo Camp Bayou, a tributary to the Brazos River, a navigable water of the United States. Buffalo Camp Bayou is not navigable within the project area.

(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign comme (iii) which are or could be used for industrial purposes by industries in interstate commerce. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

(4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) - (4) above.

FILE NUMBER: D-15680 Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by: oil or scum line along shore objects clear, natural line impressed on the bank the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation tidal gages shelving other: other: Mean High Water Mark indicated by: survey to available datum; physical markings; vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: Basis For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. ☐ This office concurs with the delineation report, dated 13 October 2003, prepared by (company): Berg Oliver Ass. This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Lake Jackson & Brazoria, TX U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: ☑ USDA Natural Resources Conservation Service Soil Survey: Brazoria County National wetlands inventory maps: Lake Jackson & Brazoria, TX State/Local wetland inventory maps: □ FEMA/FIRM maps (Map Name & Date): Panel 48039C0615 H and Panel 48039C0595 H - June 5, 1989 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Lake Jackson & Brazoria, TX - 1995 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on:

Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG-PE-RC FILE NUMBER: D-15392

 $\mathbf{B}\mathbf{A}$

PROJI	ECT LOCA	ATION IN	FORMATION:				
Sta	ate:	Texas					
	unty:	Brazoria					
Ce	nter coordi	nates of si	te (latitude/longitud	le):	29 -10-0.2965 / 95 -25-58.1695		
Αŗ	proximate	size of are	a (parcel) reviewed	, including	g uplands: .5 acres.		
	me of near		ay: None				
Na	me of wate	rshed:	Bastrop Bayou				
Hibiei	DICTION	AT DETER	RMINATION				
			determination	⊠	Detail 18 M 1 2004		
Cu	impieteu.	-		\boxtimes	Date: 15 November 2004		
		Site visit	(S)	L	Date(s):		
Ju	risdictiona	l Determi	nation (JD):				
	Prelimina	ary JD - B	ased on available in	formation	, \square there appear to be (or) \square there appear to be no "waters of the		
	United St	tates" and	or "navigable wate	rs of the U	Inited States" on the project site. A preliminary JD is not appealable		
	(Reference	ce 33 CFR	. part 331).		programmary v. is not appearable		
57							
\boxtimes	Approved	d JD – An	approved JD is an	appealable	action (Reference 33 CFR part 331).		
	Check all	that apply	y:				
	Thora	ara "novi	anhla watara of the	I Inited Ct	otes" (d-511 22 CPR 220 - 1		
	the review	wed area	Approximate size of	Office State	ates" (as defined by 33 CFR part 329 and associated guidance) within		
	the review	wed area.	Approximate size (n jurisuici	ionai area:		
	\Box There	are "wate	ers of the United Sta	ates" (as d	lefined by 33 CFR part 328 and associated guidance) within the		
	☐ There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:						
	\square There	are "isol	ated, non-navigable	, intra-sta	te waters or wetlands" within the reviewed area.		
			Decision supported	d by SWA	NCC/Migratory Bird Rule Information Sheet for Determination of No		
			Jurisdiction.				
BASIS (OF HIDIS	DICTION	NAL DETERMINA	TION			
DASIS V	Waters d	bic Hor lefined un	NAL DETERMINA Ider 33 CEP nort 3	4 I IUN; 120 oo "no	vigable waters of the United States":		
Ĥ	The prese	nce of wa	ters that are subject	to the ehh	o and flow of the tide and/or are presently used, or have been used in		
	the past of	or may be	suscentible for use	to transpo	rt interstate or foreign commerce.		
	me past, c	or may oc	susceptible for use	to transpo	interstate of foreign commerce.		
В.	Waters d	lefined un	der 33 CFR part 3	328.3(a) as	s "waters of the United States":		
	(1) The pi	resence of	waters, which are o	currently u	ised, or were used in the past, or may be susceptible to use in		
	interstate	or foreign	commerce, includi	ng all wat	ers which are subject to the ebb and flow of the tide		
	(2) The pi	resence of	interstate waters in	cluding in	iterstate wetlands ¹ .		
	(3) The pi	resence of	other waters such a	as intrastat	e lakes, rivers, streams (including intermittent streams) mudflats		
	sandflats,	wetlands,	sloughs, prairie po	tholes, we	t meadows, playa lakes, or natural ponds, the use, degradation or		
	destructio	n of whic	h could affect inters	state comn	nerce including any such waters (check all that apply).		
	(1) W	hich are o	r could be used by i	nterstate c	or foreign travelers for recreational or other purposes.		
	(ii) fr	rom which	i fish or shellfish ar	e or could	be taken and sold in interstate or foreign commerce.		
	(4) Impou	wnich are	or could be used for	r industria	l purposes by industries in interstate commerce.		
님	(4) Impou	muments (of waters otherwise	uenned as	s waters of the US.		
片	(6) The pr	resence of	territorial seas.	er identifi	ed in (1) – (4) above.		
Ħ	(7) The pr	resence of	wetlands adjacent ²	to other u	vaters of the US, except for those wetlands adjacent to other wetlands.		
	(,) The pr		onanas aujacem	to other w	values of the Os, except for those wetlands adjacent to other wetlands.		

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: No waters of the United States, including areas that meet the three criteria (hydrology, hydric soils, hydrophytic vegetation) of a wetland are present within the limits of the proposed sidewalks.

FILE NUMBER: D-15392 Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by: clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation tidal gages shelving other: other: Mean High Water Mark indicated by: survey to available datum; □ physical markings; □ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: **Basis For Not Asserting Jurisdiction:** The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated 13 October 2003, prepared by (company): Berg Oliver Ass. , prepared by (company): This office does not concur with the delineation report, dated Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Angleton, TX U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: Angleton, TX State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): Panel 48039C0440 H and Panel 48039C0445 H - June 6, 1989 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Angleton, TX - 1995 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION

Revised 8/13/04

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG FILE NUMBER: D-16630

PR	O	IFCT	1.4	OCA	TION	INFORM	AATION.

State: Texas
County: Galveston
Center coordinates of site (latitude/longitude): 29 13' 42" N 94 53' 55"W
Approximate size of area (parcel) reviewed, including uplands: 6.36 acre.
Name of nearest waterway: Gulf of Mexico
Name of watershed: West Galveston Bay

N	lame of water	ershed: W	est Galveston Bay		
			ERMINATION determination (s)		Date: Date(s): 3 Nov 2004
Jı —			nation (JD):		
2	United S	tates" and	ased on available /or "navigable wat part 331).	informatio ers of the	n, \(\sum \) there appear to be (or) \(\sum \) there appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable
E	Approved Check al	d JD – An l that appl	approved JD is ar y:	appealabl	e action (Reference 33 CFR part 331).
	There	are "nav wed area.	gable waters of th Approximate size	e United S of jurisdic	tates" (as defined by 33 CFR part 329 and associated guidance) within stional area:
	There reviewed	are "wate area. Ap	ers of the United S proximate size of j	tates" (as urisdiction	defined by 33 CFR part 328 and associated guidance) within the nal area:
	☐ There	are "isol	ated, non-navigable Decision supported Jurisdiction.	le, intra-sta ed by SWA	ate waters or wetlands" within the reviewed area. ANCC/Migratory Bird Rule Information Sheet for Determination of No
BASIS A.	Waters d The prese	efined un	ters that are subjec	329 as "nate to the ebl	avigable waters of the United States": b and flow of the tide and/or are presently used, or have been used in ort interstate or foreign commerce.
В.	Waters d	efined un	der 33 CFR part	328.3(a) a	s "waters of the United States":
	interstate	or foreign	commerce, includ	ling all wa	used, or were used in the past, or may be susceptible to use in ters which are subject to the ebb and flow of the tide.
	(3) The pr	resence of	other waters such	as intrasta	nterstate wetlands ¹ . te lakes, rivers, streams (including intermittent streams), mudflats,
	sandflats,	wetlands,	sloughs, prairie p	otholes, we	et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply):
	(i) w!	hich are o	could be used by	interstate (or foreign travelers for recreational or other purposes. I be taken and sold in interstate or foreign commerce.
	☐ (iii) v	which are	or could be used fo	or industria	al purposes by industries in interstate commerce.
	(4) Impou	ndments of	of waters otherwise	e defined a	s waters of the US.
H	(5) The pr (6) The pr	esence of esence of	a tributary to a waterritorial seas.	iter identifi	ed in (1) – (4) above.
図	(7) The pr	esence of	wetlands adjacent	² to other v	waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: The small wetland is in close proximity to the Gulf of Mexico. The Gulf of Mexico is a navigable water of the United States subject to the ebb and flow of the daily tide. Therefore, the wetland is adjacent to the Gulf of Mexico and subject to U.S Army Corps of Engineers jurisdiction under Section 404 of the Clean Water Act.

2 FILE NUMBER: D-16630 **Lateral Extent of Jurisdiction:** (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by: clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation tidal gages shelving other: other: Mean High Water Mark indicated by: survey to available datum; physical markings; vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: Northrup Associates, Inc **Basis For Not Asserting Jurisdiction:** The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).

The Corps has made a case specific determined. The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated 13 Oct 2004, prepared by: Northrup Associates, Inc. This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Lake Como, Texas Quad U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): TNRIS 1m DOQQ, Lake Como Quad, 1995

Other photographs (Date):

Applicable/supporting case law: Other information (please specify):

Advanced Identification Wetland maps:

Site visit/determination conducted on: 3 Nov 2004

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG FILE NUMBER: D-16644

PROJECT LOCATION INFORMATION:

State: Texas County: Brazoria

Center coordinates of site (latitude/longitude): 29 00' 04" N 95 13' 33" W Approximate size of area (parcel) reviewed, including uplands: 0.01 acres.

Name of nearest waterway: Gulf of Mexico Name of watershed: Austin - Oyster

JURISDICTIONAL	DETERMINA	TION

TUDY	DICTION	AT DEFENDACES OF COLUMN					
		AL DETERMINATION Desktop determination Site visit(s)		Date: 2 Nov 2004 Date(s):			
Jı	ırisdictiona	al Determination (JD):					
	United S	ary JD - Based on available states" and/or "navigable wat ce 33 CFR part 331).	informatior ters of the U	n, there appear to be (or) there appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable			
×		d JD – An approved JD is an l that apply:	appealable	e action (Reference 33 CFR part 331).			
	There	e are "navigable waters of the wed area. Approximate size	e United St of jurisdict	ates" (as defined by 33 CFR part 329 and associated guidance) within tional area:			
	⊠ There reviewed	e are "waters of the United S area. Approximate size of	tates" (as o	defined by 33 CFR part 328 and associated guidance) within the al area: 0.01 acre.			
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of N Jurisdiction.						
BASIS A.	Waters of The prese	ence of waters that are subject	329 as "na	avigable waters of the United States": o and flow of the tide and/or are presently used, or have been used in the interstate or foreign commerce.			
B.	(1) The p interstate (2) The p	resence of waters, which are or foreign commerce, include resence of interstate waters in	currently uding all wat including in	s "waters of the United States": used, or were used in the past, or may be susceptible to use in ers which are subject to the ebb and flow of the tide. uterstate wetlands ¹ .			
	sandflats, destruction (i) w (ii) fi	wetlands, sloughs, prairie p on of which could affect inte hich are or could be used by rom which fish or shellfish a	otholes, we rstate comn interstate of are or could	e lakes, rivers, streams (including intermittent streams), mudflats, t meadows, playa lakes, or natural ponds, the use, degradation or nerce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. be taken and sold in interstate or foreign commerce.			
	(4) Impou(5) The pr(6) The pr	undments of waters otherwis resence of a tributary to a wa resence of territorial seas.	e defined as ater identific				

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: The adjacent wetlands are in close proximity to the Gulf of Mexico and are therefore adjacent to the Gulf of Mexico. The Gulf of Mexico is a navigable water of the United States subject to the ebb and flow of the daily tide. The wetlands were identified and the boundaries verified in D-14803.

FILE NUMBER: D-16644

La	Ordinary High Water Mark indicated by: I clear, natural line impressed on the bank I changes in the character of soil I destruction of terrestrial vegetation I other: High Tide Line indicated by: Oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
×	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: Verified Delineation under D-14803
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Christmas Point, Texas Quad U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Da Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify): Verified Delineation D-14803

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG FILE NUMBER: D-16629

FILE I	NUMBER: D-16629
Sta Co Ce Ap Na	ate: Texas punty: Brazoria County enter coordinates of site (latitude/longitude): 29 08' 25 N 95 37' 58" W poproximate size of area (parcel) reviewed, including uplands: 2.86 acres. Texas ame of nearest waterway: Brazos River ame of watershed: Lower Brazos
	DICTIONAL DETERMINATION ompleted: Desktop determination
Ju	risdictional Determination (JD):
☒	Preliminary JD - Based on available information, \square there appear to be (or) \square there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	☐ <i>There are</i> "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.
A.	OF JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
	Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce.

(5) The presence of a tributary to a water identified in (1) – (4) above.

(6) The presence of territorial seas.

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

2 FILE NUMBER: D-16629 Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by: clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation tidal gages shelving other: other: Mean High Water Mark indicated by: survey to available datum; physical markings; vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: **Basis For Not Asserting Jurisdiction:** The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): ☐ This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: West Columbia, Texas U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: West Columbia, Texas State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): Brazoria County, Texas Panel 395, 5 June 1989 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): TNRIS 1995 1m West Columbia, Texas quad 1m southeast DOQQ

Other photographs (Date): 26 site photos provided by applicant, 22 Oct 2004

Advanced Identification Wetland maps: Site visit/determination conducted on:

Applicable/supporting case law:Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Galveston District

FILE	NUMBER:	D-16641
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F	(LE)	LE NUMBER: D-16641	
Pl	Sta Co Ce Ap Na	OJECT LOCATION INFORMATION: State: Texas County: Harris County Center coordinates of site (latitude/longitude): 29-48-26.9685 Approximate size of area (parcel) reviewed, including uplands: 0.020 Name of nearest waterway: Hunting Bayou Name of watershed: San Jacinto River	/ 95-20-28.2621 acres.
Л		RISDICTIONAL DETERMINATION Completed: Desktop determination	ember 2004
	Ju	Jurisdictional Determination (JD):	
		Preliminary JD - Based on available information, there appear United States" and/or "navigable waters of the United States" on (Reference 33 CFR part 331).	r to be (or) there appear to be no "waters of the the project site. A preliminary JD is not appealable
	\boxtimes	Approved JD – An approved JD is an appealable action (Referen Check all that apply:	ce 33 CFR part 331).
		There are "navigable waters of the United States" (as defined the reviewed area. Approximate size of jurisdictional area:	by 33 CFR part 329 and associated guidance) within
		☐ There are "waters of the United States" (as defined by 33 CF reviewed area. Approximate size of jurisdictional area:	R part 328 and associated guidance) within the
		There are "isolated, non-navigable, intra-state waters or wetl Decision supported by SWANCC/Migratory Jurisdiction.	ands" within the reviewed area. Bird Rule Information Sheet for Determination of No
BA	A.	A. Waters defined under 33 CFR part 329 as "navigable waters of The presence of waters that are subject to the ebb and flow of the the past, or may be susceptible for use to transport interstate or for	tide and/or are presently used, or have been used in
	B. 🖂	 (1) The presence of waters, which are currently used, or were used interstate or foreign commerce, including all waters which are subtle. (2) The presence of interstate waters including interstate wetlands. (3) The presence of other waters such as intrastate lakes, rivers, st sandflats, wetlands, sloughs, prairie potholes, wet meadows, playare destruction of which could affect interstate commerce including an including in the interstate of foreign traveler. (i) which are or could be used by interstate or foreign traveler. (ii) from which fish or shellfish are or could be taken and sold in the interstate of the used for industrial purposes by independent of waters otherwise defined as waters of the used. (5) The presence of a tributary to a water identified in (1) − (4) and (6) The presence of territorial seas. 	In the past, or may be susceptible to use in ject to the ebb and flow of the tide. It reams (including intermittent streams), mudflats, a lakes, or natural ponds, the use, degradation or my such waters (check all that apply): Is for recreational or other purposes. If in interstate or foreign commerce, ustries in interstate commerce.
		(7) The presence of wetlands adjacent ² to other waters of the US,	except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)

Ordinary High Water Mark indicated by:

FILE NUMBER: D-16641 High Tide Line indicated by:

 ☐ clear, natural line impressed on the bank ☐ the presence of litter and debris ☐ changes in the character of soil ☐ destruction of terrestrial vegetation ☐ shelving ☐ other: 	 oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
Mean High Water Mark indicated by: survey to available datum; physical markings; veg	getation lines/changes in vegetation types.
Wetland boundaries, as shown on the attached wetland deline	eation map and/or in a delineation report prepared by:
rice growing. Artificial reflecting or swimming pools or other small by excavating and/or diking dry land to retain water for Water-filled depressions created in dry land incidental the purpose of obtaining fill, sand, or gravel unless and	or lagoons, pursuant to 33 CFR part 328.3 and if the irrigation ceased. For diking dry land to collect and purposes as stock watering, irrigation, settling basins, or all ornamental bodies of water created for primarily aesthetic reasons. If to construction activity and pits excavated in dry land for ad until the construction or excavation operation is definition of waters of the United States found at 33 CFR excommerce.
Maps, plans, plots or plat submitted by or on behalf of the app Data sheets prepared/submitted by or on behalf of the applicar This office concurs with the delineation report, dated This office does not concur with the delineation report, dated This office does not concur with the delineation report, dated This office does not concur with the delineation report, dated This office does not concur with the delineation report, dated This office does not concur with the delineation report, dated Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 7.5	plicant. nt. , prepared by (company):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Galveston District

(6) The presence of territorial seas.

FILE NUMBER: D-16650

FILE	ONIDER: D-10030		
Sta Co Ce Ap Na	te: Texas unty: Cameron nter coordinates of site (latitude/longitude/proximate size of area (parcel) reviewed me of nearest waterway: Arroyo Colorado me of watershed: Arroyo Colorado	, including	26-11-9.6512 97-46-30.3392 g uplands: approximately 21 acres.
	mpleted: Desktop determination Site visit(s)	\boxtimes	Date: 24 November 2004 Date(s):
Ju	risdictional Determination (JD):		
×	Preliminary JD - Based on available in	formation rs of the U	, there appear to be (or) there appear to be no "waters of the Juited States" on the project site. A preliminary JD is not appealable
	Approved JD – An approved JD is an a Check all that apply:	ippealable	e action (Reference 33 CFR part 331).
	There are "navigable waters of the the reviewed area. Approximate size o	United Sta f jurisdict	ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:
	There are "waters of the United Stareviewed area. Approximate size of just	tes" (as d	defined by 33 CFR part 328 and associated guidance) within the all area:
	There are "isolated, non-navigable, Decision supported Jurisdiction.	intra-sta by SWA	te waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No
BASIS (OF JURISDICTIONAL DETERMINA	TION:	
<u>A.</u>	Waters defined under 33 CFR part 3	29 as "na	vigable waters of the United States":
	The presence of waters that are subject the past, or may be susceptible for use t	to the ebb	and flow of the tide and/or are presently used, or have been used in rt interstate or foreign commerce.
В.			
Ш	(1) The presence of waters, which are contracted or foreign commerce including	urrently u	sed, or were used in the past, or may be susceptible to use in ers which are subject to the ebb and flow of the tide.
	(2) The presence of interstate waters inc	oluding in	terstate wetlands ¹ .
	(3) The presence of other waters such a	s intrastat	e lakes, rivers, streams (including intermittent streams), mudflats.
	sandflats, wetlands, sloughs, prairie pot destruction of which could affect interst	holes, we	t meadows, playa lakes, or natural ponds, the use, degradation or herce including any such waters (check all that apply):
	(i) which are or could be used by in	nterstate o	r foreign travelers for recreational or other purposes.
	(ii) from which fish or shellfish are	or could	be taken and sold in interstate or foreign commerce.
	(4) Impoundments of waters otherwise		purposes by industries in interstate commerce.
目	(5) The presence of a tributary to a water		

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

FILE NUMBER: D-16650

La	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics destruction of terrestrial vegetation tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	EVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: La Feria, Texas U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Hi

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delination Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Galveston District

(6) The presence of territorial seas.

FILE N	IUMBER: D-16527
Sta Co Ce Ap Na	CCT LOCATION INFORMATION: tte: Texas unty: Hidalgo nter coordinates of site (latitude/longitude): 26-8-50.4382 98-15-40.2307 proximate size of area (parcel) reviewed, including uplands: approximately 72 acres. me of nearest waterway: Hackney Lake Inlet - Main Floodway me of watershed: Rio Grande
	DICTIONAL DETERMINATION mpleted: Desktop determination Site visit(s) Date: 22 November 2004 Date(s):
Jur	risdictional Determination (JD):
\boxtimes	Preliminary JD - Based on available information, \(\subseteq \text{there appear to be (or) } \subseteq there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.
BASIS C	OF JURISDICTIONAL DETERMINATION:
A.	Waters defined under 33 CFR part 329 as "navigable waters of the United States":
Ш	The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
В.	Waters defined under 33 CFR part 328.3(a) as "waters of the United States":
Ц	(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
П	(2) The presence of interstate waters including interstate wetlands ¹ .
	(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats,
	sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
	(i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
	(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
_	(iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US.
	(5) The presence of a tributary to a water identified in (1) – (4) above.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

FILE NUMBER: D-16527

	Ordinary High Water Mark indicated by:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Ba	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	 Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA F	REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Mission, Texas U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Deological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Survey 17 Minute Historic quadrangles: U.S. Geological Survey 18 Minute Historic quadrangles: U.S. Geological Survey 19 Minute Historic quadrangles: U.S. Geological Survey 19 Minute Historic quadrangles: U.S. Geological Survey 10 Minute M

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG-PE-RCC

FILE N	IUMBER:	I-4983				
Sta Co Ce Ap Na	nte: ounty: nter coord oproximate	Texas Cameror inates of size of are est waterv	ite (latitude	:/longitude reviewed, a Madre		26-04-20/97-13-20 g uplands: 1 acres.
			RMINAT		-	
Co	mpietea:	Site visit	determinat (s)	ion		Date: Date(s): 17 November 2004
Ţ,,	riediation		ination (JI	.	******	
	Prelimin United S	ary JD - B states" and	ased on av	ailable inf	formations of the U	n, \square there appear to be (or) \square there appear to be no "waters of the Jnited States" on the project site. A preliminary JD is not appealable
\boxtimes		d JD – An I that appl		JD is an a	ppealable	e action (Reference 33 CFR part 331).
						tates" (as defined by 33 CFR part 329 and associated guidance) within tional area:
	M There reviewed	? are "wate l area. Ap	ers of the U	Jnited Stat size of jur	tes" (as o	defined by 33 CFR part 328 and associated guidance) within the all area: 3000 square feet.
	☐ There	e are "isol		supported		ate waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No.
A.	Waters of	defined ur ence of wa	ters that are	R part 32 e subject t	29 as "na to the ebb	avigable waters of the United States": b and flow of the tide and/or are presently used, or have been used in ort interstate or foreign commerce.
B.	(1) The printerstate (2) The properties (2) The properties (3) The properties (3) The properties (4) The properties (4) The properties (5) The pro	oresence of or foreign oresence of oresence of wetlands, on of which or or which which are	f waters, who commerced interstate of other water, sloughs, plus could affer could be or could be or could be or could be	hich are co e, including waters incomers such as prairie pothe fect interst used by incellfish are the used for	urrently urg all water all waterstate of could industria	s "waters of the United States": used, or were used in the past, or may be susceptible to use in ters which are subject to the ebb and flow of the tide. nterstate wetlands ¹ . te lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. I be taken and sold in interstate or foreign commerce. all purposes by industries in interstate commerce.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: Upper limit of Section 404 boundary is HTL in absence of adjacent wetlands.

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

(5) The presence of a tributary to a water identified in (1) – (4) above.

(6) The presence of territorial seas.

FILE NUMBER: I-4983

	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	EVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrang

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG-PE-RCC **FILE NUMBER:** 23602

PROJECT LOCATION INFORMATIO

State: Texas County: Cameron

Center coordinates of site (latitude/longitude): 26-04-39/97-09-59 Approximate size of area (parcel) reviewed, including uplands: 0.03 acres.

Name of nearest waterway: Laguna Madre Name of watershed: Laguna Madre

JURISDICTIONAL DETERMINATION

Jui isuictional Detel mination (JD	isdictional Determination (JD	lurisdictional Deter	Jı	J
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	Preliminary JD - Based on available information, \(\subseteq \text{there appear to be (or)} \subseteq there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
Ø	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 0.03 acres.
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

- A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":
- The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

- (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
 (2) The presence of interstate waters including interstate wetlands¹.
- (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
 - (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
 - (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- (iii) which are or could be used for industrial purposes by industries in interstate commerce.
- (4) Impoundments of waters otherwise defined as waters of the US.
- (5) The presence of a tributary to a water identified in (1) (4) above.
- (6) The presence of territorial seas.
 - (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: Permanent home-base mooring spot for floating dock constitutes fixed structure subject to Section 10.

FILE NUMBER: 23602

La	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would rever to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA F	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated prepared by (company): This office does not concur with the delineation report, dated prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Autural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): 1995 DOQQ Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION

U.S. Army Corps of Engineers

DISTRICT OFFICE: Galveston FILE NUMBER: D-16668 PROJECT LOCATION INFORMATION: State: Texas County: Aransas Center coordinates of site (latitude/longitude): 27 59 26.6930; 97 04 32.2236 Approximate size of area (parcel) reviewed, including uplands: 0.55 acre. Name of nearest waterway: Gulf Intracoastal Waterway Name of watershed: Aransas Bay JURISDICTIONAL DETERMINATION Completed: Desktop determination Date: 22 November 2004 Site visit(s) Date(s): Jurisdictional Determination (JD): Preliminary JD - Based on available information, \(\square there appear to be \) (or) \(\square there appear to be no "waters of the limit the limit there appear the limit there appear to be no "waters of the limit there appear to be no "waters of the limit there appear to be no "waters of the limit the lim United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 0.55 acre. There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: _____. There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BASIS OF JURISDICTIONAL DETERMINATION: A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": [1] (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands¹. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: Tidal waters of nearby Aransas Bay through connection by Gulf Intracoastal Waterway.

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

(5) The presence of a tributary to a water identified in (1) - (4) above.

(6) The presence of territorial seas.

FILE NUMBER: D-16668

	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
\boxtimes	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated, prepared by (company): This office does not concur with the delineation report, dated, prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Hydrological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Survey 17 Minute Historic quadrangles: U.S

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.